

In the drawings:

Please replace the drawings with the new set of drawings labeled Replacement Sheet 1/30 - 30/30.

REMARKS

In the Office Action dated March 2, 2010, the Examiner rejects claims 21-29 and 35-46 under 35 U.S.C. §102(b) and rejects claims 29, 30 and 35-46 under 35 U.S.C. §112, second paragraph. With this Amendment, claims 21-29 and 35-46 are amended. Claims 30 and 49-54 are canceled simply to avoid additional claim fees. Claims 1-20, 31-34 and 47-54 were withdrawn in a response to an earlier restriction requirement. Accordingly, no new claim fees are due. After entry of this Amendment, claims 21-29 and 35-46 are under examination in the Application. Reconsideration of the Application as amended is requested in view of the remarks below.

Oath/Declaration

Applicants acknowledge the non-compliance of the Declaration submitted on December 8, 2005. Applicants are in the process of getting a newly signed Declaration and will submit the Declaration as soon as it is received.

Drawings

A complete Replacement set of drawings is enclosed. The foreign language words have been removed or replaced with English were necessary. Figure numbers are now in consecutive Arabic numerals in the order in which they appear. The sectional view designations have been corrected. The specification has been corrected to refer to the new Figure numbers. The entire set of drawings is currently being formalized by a draftsman to correct the poor legends and characters as well as the lines and shading.

Specification

The specification has been reviewed and informalities corrected, along with changes to the drawing numbers.

Rejections under 35 USC §112, second paragraph

Claims 29, 30 and 35-46 are rejected as being indefinite for failing to particularly point out and distinctly claim the subject matter the Applicants regard as their invention. The claims have been amended to correct the many issues with antecedent basis.

Rejections under 35 USC §102(b)

Claims 21 and 26 have been amended to recite the structure shown in Figs. 3A and 3B. Claims 22-25 have been amended to recite the structure shown in Figs. 7A and 7B and Figs. 9A-9C. Claim 35 was amended to depend from claim 21. Accordingly, no new matter has been added.

Claims 21-27 are rejected under 35 USC §102(b) as being anticipated by GB 2076677. Claim 21 as amended recites an agitation system comprising: a basic body which has an upper side and an underside, a two opposing lateral bores, at least one first through-channel extending from the underside to intersect with the two opposing lateral bores, at least one second through-channel extending from the upper side to intersect with at least one of the two opposing lateral bores. Claim 22 as amended recites an agitation system comprising a basic body having an upper side and an underside and at least one first through-channel with a passage axis at an angle α of $0^\circ \leq \alpha < 90^\circ$ with a rotational axis of the agitation system, said angle opening to the upper side of the agitation system. Claims 23-27 depend from one of claims 21 and 22 to include all of the limitations therein. Applicant respectfully submits that GB 2076677 fails to teach or suggest the limitations of either of claims 21 or 22 and accordingly does not anticipate any of claims 21-27, which are in condition for allowance.

Claims 21-24 and 27 are rejected under 35 USC §102(b) as being anticipated by SU 1181699. Claim 21 as amended recites an agitation system comprising: a basic body which has an upper side and an underside, a two opposing lateral bores, at least one first through-channel extending from the underside to intersect with the two opposing lateral bores, at least one second through-channel extending from the upper side to intersect with at least one of the two opposing lateral bores. Claim 22 as amended recites an agitation system comprising a basic body having an upper side and an underside and at least one first through-channel with a passage axis at an angle α of $0^\circ \leq \alpha < 90^\circ$ with a rotational axis of the agitation system, said angle opening to the upper side of the agitation system. Claims 23, 24 and 27 depend from one of claims 21 and 22 to include all of the limitations therein. Applicant respectfully submits that SU 1181699 fails to teach or suggest the limitations of either of claims 21 or 22 and accordingly does not anticipate any of claims 21-24 and 27, which are in condition for allowance.

Claims 21-24 and 27 are rejected under 35 USC §102(b) as being anticipated by SU 606610. Claim 21 as amended recites an agitation system comprising: a basic body which has an upper side and an underside, a two opposing lateral bores, at least one first through-channel extending from the underside to intersect with the two opposing lateral bores, at least one second through-channel extending from the upper side to intersect with at least one of the two opposing lateral bores. Claim 22 as amended recites an agitation system comprising a basic body having an upper side and an underside and at least one first through-channel with a passage axis at an angle α of $0^\circ \leq \alpha < 90^\circ$ with a rotational axis of the agitation system, said angle opening to the upper side of the agitation system. Claims 23, 24 and 27 depend from one of claims 21 and 22 to include all of the limitations therein. Applicant respectfully submits that SU 606610 fails to teach or suggest the limitations of either of claims 21 or 22 and accordingly does not anticipate any of claims 21-24 and 27, which are in condition for allowance.

Claims 21-24 and 26-29 are rejected under 35 USC §102(b) as being anticipated by Vogtle (US 3514214). Claim 21 as amended recites an agitation system comprising: a basic body which has an upper side and an underside, a two opposing lateral bores, at least one first through-channel extending from the underside to intersect with the two opposing lateral bores, at least one second through-channel extending from the upper side to intersect with at least one of the two opposing lateral bores. Claim 22 as amended recites an agitation system comprising a basic body having an upper side and an underside and at least one first through-channel with a passage axis at an angle α of $0^\circ \leq \alpha < 90^\circ$ with a rotational axis of the agitation system, said angle opening to the upper side of the agitation system. Claims 23, 24 and 26-29 depend from one of claims 21 and 22 to include all of the limitations therein. Applicant respectfully submits that Vogtle fails to teach or suggest the limitations of either of claims 21 or 22 and accordingly does not anticipate any of claims 21, 24 and 26-29, which are in condition for allowance.

Claims 21-25 and 27-29 are rejected under 35 USC §102(b) as being anticipated by Shoenman et al. (US 3881701). Claim 21 as amended recites an agitation system comprising: a basic body which has an upper side and an underside, a two opposing lateral

bores, at least one first through-channel extending from the underside to intersect with the two opposing lateral bores, at least one second through-channel extending from the upper side to intersect with at least one of the two opposing lateral bores. Claim 22 as amended recites an agitation system comprising a basic body having an upper side and an underside and at least one first through-channel with a passage axis at an angle α of $0^\circ \leq \alpha < 90^\circ$ with a rotational axis of the agitation system, said angle opening to the upper side of the agitation system. Claims 23-25 and 27-29 depend from one of claims 21 and 22 to include all of the limitations therein. Applicant respectfully submits that Shoenman fails to teach or suggest the limitations of either of claims 21 or 22 and accordingly does not anticipate any of claims 21-25 and 27-29, which are in condition for allowance.

Claims 21-27 and 29 are rejected under 35 USC §102(b) as being anticipated by Dourdeville (US 4534659). Claim 21 as amended recites an agitation system comprising: a basic body which has an upper side and an underside, a two opposing lateral bores, at least one first through-channel extending from the underside to intersect with the two opposing lateral bores, at least one second through-channel extending from the upper side to intersect with at least one of the two opposing lateral bores. Claim 22 as amended recites an agitation system comprising a basic body having an upper side and an underside and at least one first through-channel with a passage axis at an angle α of $0^\circ \leq \alpha < 90^\circ$ with a rotational axis of the agitation system, said angle opening to the upper side of the agitation system. Claims 23-27 and 29 depend from one of claims 21 and 22 to include all of the limitations therein. Applicant respectfully submits that Dourdeville fails to teach or suggest the limitations of either of claims 21 or 22 and accordingly does not anticipate any of claims 21-27 and 29, which are in condition for allowance.

Conclusion

Applicants respectfully submit that this Amendment has antecedent basis in the Application as originally filed, including the specification, claims and drawings, and that this Amendment does not add any new subject matter to the Application. Reconsideration of the Application is requested. It is respectfully submitted that this Amendment places the Application in suitable condition for allowance; notice of which is requested.

If the Examiner feels that prosecution of the Application can be expedited by way of an Examiner's amendment, the Examiner is invited to contact the undersigned at the telephone number listed below.

Respectfully submitted,

YOUNG BASILE
HANLON & MACFARLANE, P.C.



Francine B. Nesti
Attorney for Applicant
Registration No. 53376
(248) 649-3333

3001 West Big Beaver Rd., Suite 624
Troy, Michigan 48084-3107